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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,118	03/11/2004	Jae-Woo Roh	ROHJ3003/EM	4676
23364	7590	02/17/2005	EXAMINER	
BACON & THOMAS, PLLC 625 SLATERS LANE FOURTH FLOOR ALEXANDRIA, VA 22314			ASSAF, FAYEZ G	
		ART UNIT	PAPER NUMBER	
			2872	

DATE MAILED: 02/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/797,118	ROH, JAE-WOO	
	Examiner	Art Unit	
	Fayez G. Assaf	2872	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on ____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) Claim(s) ____ is/are allowed.
- 6) Claim(s) 1-10 is/are rejected.
- 7) Claim(s) ____ is/are objected to.
- 8) Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 11 March 2004 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. ____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.

- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: ____.

DETAILED ACTION***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over by (US 2003/0161246 A1).

Regarding claim 1, 8, 9 and 10, Chuang discloses a holographic apparatus comprising: a light source (10 of Fig. 1), a beam splitter (20 of Fig. 1), a mask (50 of Fig. 1) for modulating a signal beam to generate a modulated signal beam; a conical prism (70 of Fig. 1), which includes a cone portion a base portion (see Fig. 2 and 3), for refracting a reference beam (26 of Fig. 1) to generate a refracted reference beam, wherein the refracted reference beam interferes with the modulated signal beam (23 of Fig. 1) in a holographic medium (60 of Fig. 1) to thereby record data thereon, the base portion facing the holographic medium (see Fig. 2). Chaung discloses the conical mirror having a base portion facing the holographic medium. However, the prism is shown facing the opposite direction.

It would have been obvious, at the time the invention was made, to a person having ordinary skill in the art to position conical prism in any

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manner, including the option of having the base facing the holographic medium, as long as the beam has a cylindrical symmetrical shape (see Abstract).

Regarding claim 2, Chuang inherently discloses the optical path of the refracted reference beam depending on a refractive index of the conical prism.

Regarding claims 3-7, Chuang is not explicit on changing the base angle of the prism or the distance to the holographic medium for multiplexing; or bonding the value of the angle of incidence.

However, the optimization of such parameters is achieved by routine experimentation, which does not serve as basis for patentability.

It would have been obvious, at the time the invention was made, to a person having ordinary skill in the art to experiment with the values of the base angle, the distance to the holographic or the value of the angle of incidence so as to reduce intensity variations between reconstructed multiplexed holograms.

In re Aller, 220 F.2d 454, 456, 105 USPQ 233,235.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dickson (US 4,790,612)

Cho (US 2004/0190358 A1)

Yamatsu et al. (JP 2004-127352 A)

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FAYEZ G. ASSAF whose telephone number is (571) 272-2307. The examiner can normally be reached on 8-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DREW DUNN can be reached on (571) 272-2312. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



FAYEZ G. ASSAF
Primary Examiner
Art Unit 2872

2/15/05